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PTO/SB/21 (02-04)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/811,298	
	Filing Date	March 26, 2004	
	First Named Inventor	Littlehorn, Sheila	
	Art Unit	3673	
	Examiner Name	Not yet known	
Total Number of Pages in This Submission	4	Attorney Docket Number	017242-012800US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

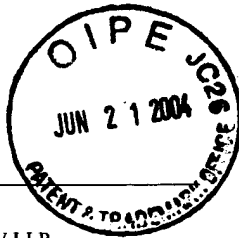
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Townsend and Townsend and Crew LLP Melissa A. Haapala Reg. No. 47,622
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
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On June 16, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Nicole Wartell

Nicole Wartell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sheila Littlehorn, et al.

Application No.: 10/811,298

Filed: March 26, 2004

For: INFANT SLEEP POSITIONER

Examiner: Not yet known

Art Unit: 3673

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. U.S. patents are not enclosed in accordance with the Patent Office waiver issued August 5, 2003 in the Official Gazette, which states as follows:

The Office hereby waives the requirement under 37 CFR 1.98

(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S.

patent application publication for all U.S. national patent

applications filed after June 30, 2003 and for all international

applications that have entered the national stage under 35 USC 371

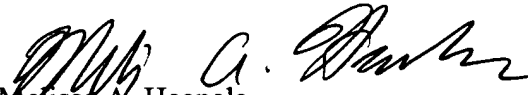
after June 30, 2003. See 37 CFR 1.491(b).

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

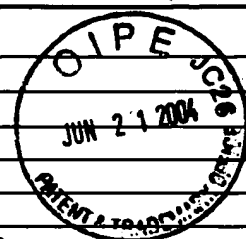
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Melissa A. Haapala
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60240849 v1

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/811,298	
			Filing Date	March 26, 2004	
			First Named Inventor	Littlehorn, Sheila	
			Art Unit	3673	
Examiner Name	Not yet known				
Attorney Docket Number	017242-012800US				
Sheet	1	of	1		



U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	A1	US-5,036,865	08-06-1991	Keaton	
	A2	US-5,063,912	11-12-1991	Hughes	
	A3	US-5,182,828	02-02-1993	Alvizatos	
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	A5	US-5,193,238	03-16-1993	Clute	
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	A8	US-5,313,678	05-24-1994	Redewill	
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	A29	US-5,971,761	10-26-1999	Tillman, Sr.	
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	A32	US-6,170,602 B1	01-09-2001	Mann	
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	A35	US-D465,686 S	11-19-2002	Hwong	
	A36	US-6,564,408 B2	05-20-2003	Van Vuuren	
	A37	US-2003/0145384 A1	08-07-2003	Steinicki	
	A38	US-D481,247 S	10-28-2003	Roberts et al.	
	A39				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.